

NOTIFICATION TO COUNTY MAYOR OF COMMITTEE MEETING BY MEMBERS OF MAURY COUNTY COMMISSION

The Budget Committee met on Tuesday, September 9, 2014, at 4:30 p.m., in the Maury County Tom Primm County Commission Room with the following Committee Members present:

CRAIG HARRIS, RICKY SIMS, DONNA COOK, SONNY SHACKELFORD, TOMMY WOLAVER, AND SUE STEPHENSON

OTHERS PRESENT: Gerald Adkison, Ronnie Attkisson, Talvin Barner, Davis Burkhalter, Gwynne Evans, Michael Fulbright, Michael Kuzawinski, Don Morrow, Charlie Norman, Stewart Parker, Terry Potts, Eric Previti, William Roddy, Gary Stovall, Debbie Turner, Linda Whiteside, Theresa Weber, Daniel Murphy, Al Ray, Buddy Harlan, Joey Allen, and Media.

MINUTES OF MEETING

I. CALL TO ORDER:

Chairman Sims called the meeting to order and stated "All committee members are present."

II. OPENING PRAYER:

Chairman Sims offered the opening prayer.

III. REVIEW & APPROVAL OF MEETING AGENDA:

Chairman Sims asked for a motion to approve the agenda. Commissioner Stephenson made a motion to amend the agenda. The motion was seconded by Commissioner Cook. Chairman Sims asked Commissioner Stephenson to state her amendment. She stated that she wanted to amend Roman numeral five to include the election of the chairman of the budget committee followed by the election of the vice chairman of the budget committee by roll call vote. Chairman Sims asked if there was any discussion or further amendments. There was no reply. All in favor of the amendment to the agenda and approval of the rest of the agenda; Motion carried.

IV. CHAIRMAN ELECTION AND VICE CHAIR ELECTION BY ROLL CALL VOTE (AS AMENDED BY THE COMMITTEE):

Commissioner Wolaver served as chair for the election of the Chairman and Vice Chairman of the Budget Committee. Chairman Wolaver opened the floor for nominations for Chairman of the Budget Committee. Commissioner Cook nominated Commissioner Shackelford. Commissioner Shackelford declined the nomination. Commissioner Cook then nominated Commissioner Harris. The nomination was seconded by Commissioner Stephenson. Chairman Wolaver nominated Commissioner Sims. Commissioner Wolaver asked if there had to be a second motion on all of the nominations. County Attorney Murphy stated "The Commission has had a second on the nominations in the past." Chairman Wolaver asked if there was a second for Commissioner Sims. Chairman Wolaver asked if there were any more nominations. Chairman Wolaver stated "Hearing

none is there a motion to cease nominations and elect Commissioner Harris by acclamation?" A motion was made by Commissioner Stephenson, and motion seconded by Commissioner Harris. All in favor of the motion by roll call vote: Commissioner Shackelford votes "I", Commissioner Wolaver votes "No", Commissioner Cook votes "Yes", Commissioner Stephenson votes "Yes", Commissioner Sims votes "Yes". Vote passes 5 to 1 with Commissioner Wolaver voting "No". Commissioner Wolaver turned the meeting over to newly elected Chairman Harris. Chairman Harris then said "I will now open up the nominations for Vice Chair of the Budget Committee." Commissioner Cook nominated Commissioner Shackelford and the nomination was seconded by Commissioner Stephenson. Chairman Harris asked the committee if there was a motion to cease nominations and vote. Commissioner Stephenson motioned and was seconded by Commissioner Cook. Chairman Harris opened the floor for discussion. Chairman Harris saw no lights therefore he ceased discussion and asked for a roll call vote. All committee members voted "I". Motion Passes 6-0.

V. REVIEW & APPROVAL OF MINUTES FROM PREVIOUS MEETING(S):

A. Regular Scheduled Budget Committee Meeting August 12, 2014

A motion was made by Commissioner Wolaver, and seconded by Commissioner Sims. Chairman Harris asked if there was any discussion. Chairman Harris saw no lights and called for vote. All in favor, motion carried.

VI. COUNTY MAYOR REPORT:

Mayor Norman submitted his report.

Mayor Norman stated that he has been moving forward with the new Fire Hall project by meeting with the Columbia City Manager and Columbia City Mayor Dickey. Mayor Norman said they went to see the Cherry Glen fire department to see the layout of it. Mayor Norman said he discussed with the City Mayor and City Manager in order to work out how the business end of things would work. Mayor Norman said that there is more discussion left to be done before the County and City could come to an agreement. County Mayor Norman stated "I told them (City Manager and City Mayor) the Commission had given me direction, and I think that the County is going to build it with or without them. I think this is the way the County should go if they (the City) don't want to get with us." Chairman Harris called for discussion. Commissioner Shackelford asked how big the fire station was at Cherry Glen in comparison to how big the new one will be. Mayor Norman said it would be bigger than Fire Station 2. Commissioner Stephenson asked if Mayor Norman had a good feeling from the City Manager about building a new fire hall. Mayor Norman said the City needs a station. Mayor Norman said that himself and the City Manager had only agreed to discuss joining to build a station, and had discussed that the money situation and operation situation still needed to be worked on. Mayor Norman said he doesn't think the County can build the new station for under \$350,000. Commissioner Roddy asked Mayor Norman what was the meeting at Cherry Glen in Mt. Pleasant was about. Mayor Norman answered that he met with Columbia City Manager and Columbia Mayor in Mt. Pleasant to show them the Cherry Glen Fire Department. Mayor Norman also stated that Emergency Management Director Mark Blackwood, Fire Chief Eric Hileman, and Fire Chief Jeremy Penley were with him at Cherry Glen. Commissioner Roddy commented that the Mt. Pleasant Cherry Glen Fire Station is 12 miles from the

County line, and that leaves thousands of people more than 5 miles away from that station without fire protection. Mayor Norman responded that he spoke with Chief Hileman about fire districts, and the only way to cover the entire County with stations and equipment is to develop fire districts. Mayor Norman said that the money would be raised by County residents, but it would be a tax to the residents. Mayor Norman stated that the adequate facilities tax can only be used for certain things. Commissioner Roddy asked Mayor Norman where the funding is coming from to build the Bear Creek Pike fire station. Mayor Norman replied that the money would come out of adequate facilities tax, because the area in that region of the County has shown the most growth and a fire station is needed out there. Mayor Norman stated that the adequate facilities tax money is only supposed to be used for projects that involve growth. Commissioner Roddy said that if adequate facilities tax could be used to build one fire hall, then it should be able to be used to build another one if there is money left over. Attorney Murphy stated that he and Chief Hileman looked at the Mt. Pleasant area and decided that growth had not been evident in that area. Attorney Murphy added that very little of the adequate facilities tax money has been paid to the County from that area. Attorney Murphy said that we can get Chief Hileman to pull those permits again, but the area did not show growth last time it was looked at. Commissioner Roddy asked "How do you determine the amount of growth and how much growth is required to use adequate facilities tax funds?" Mayor Norman answered that he would guess that the auditor would determine the amount of growth required. Mayor Norman said that he is not aware of what formula they use to determine growth. Attorney Murphy referenced that the airport in Mt. Pleasant is an excellent example of how adequate facilities tax can be used. Attorney Murphy said that is the law for the adequate facilities tax fund. Commissioner Roddy stated that the adequate facilities tax is paid by the entire County and it is unfair for people paying adequate facilities taxes in non-growth areas, because the funds will never have a chance to be used there. Commissioner Kuzawinski stated that the County should go ahead and put a fire hall out there to protect the constituents. Mayor Norman agreed. Commissioner Potts asked Mayor Norman what the tone was for the automatic aid agreements with the City and Spring Hill's new Fire Chief. Mayor Norman responded that Chief Bergeron told the City Manager and City Mayor that they needed to get on board for the automatic aid agreements. Mayor Norman thinks the City is positive about the discussion. Commissioner Potts stated that it would be beneficial for the City to man the fire hall. Commissioner Turner stated that the reason for a joint effort between the County and the City was already discussed because both entities were going to build fire stations close to each other to bring up their ISO rating. The reason for the joint effort was to come together and build one station to meet the needs of both entities. Commissioner Stephenson stated that the Emergency Management team is a combined effort economically in which the County provides the building and vehicle, but the City pays the salary and benefits. Commissioner Stephenson said that a partnership with the City would be beneficial to both parties. Commissioner Whiteside asked if the new fire hall would have paid fire fighters if the City did not go in with us. Mayor Norman answered no. Commissioner Whiteside asked Attorney Murphy who determines that the adequate facilities tax has to be used for growth and is it a state law. Attorney Murphy stated that it is a private act enacted by state legislature. Attorney Murphy said the Commission passed it and sent it to state legislature, state legislature passed it, and it came back to the

Commission and it passed with a 2/3 majority vote. Commissioner Whiteside asked if the Commission had the power to change the act. Attorney Murphy prefaced his statement by saying that changing a private act would require it passing by 2/3 majority vote. In addition to that, the Commission would have to know what they are changing it to and does it become an invalid tax. Commissioner Whiteside stated she thought it would be changed to support some of the rural areas instead of only growth areas. Attorney Murphy doubts that the Commission could change it. Commissioner Parker makes a comment that on September 8, 2014 the Commission was having a conversation on only \$21,000 on whether to keep the landfill open on a Saturday, and today the Commission is ready to spend \$350,000 to \$450,000 on a new fire hall that we don't have staff support for. Commissioner Parker states that the Commission is betting on the City helping us out with funding and staffing. Commissioner Parker hopes the Commission and Mayor is very careful in negotiations with the City so that the County can know what the County is getting from the City. Commissioner Parker states the Commission needs to develop their priorities.

VII. FINANCIAL REPORTS:

- A. Investment Report-** Budget Director Weber submitted the Investment Report and asked if there were any questions. (See Attached)

Commissioner Burkhalter asked Steve Konz which bank the County's money market account is with. Steve Konz answered that it is with different banks for different purposes.

- B. Sales Tax Report-** Budget Director Weber submitted the Sales Tax Report. (See Attached)

Commissioner Burkhalter asked what the ratio split of the sales taxes are between the City and the schools. Director Weber stated that for the schools the split is 50% for Columbia, 50% for Spring Hill, Maury County Schools get 75%, and Mt. Pleasant gets 50%

- C. Revenue and Expenditure Reports-** Budget Director Weber submitted the Revenue and Expenditure Report. (See Attached)

Commissioner Stephenson asked what the figures in parentheses mean. Director Weber answered that they are cash inflows or revenues. Director Weber stated that it was a plus. Commissioner Kuzawinski asked what the transfer of \$225,000 into fund 101 represents. Director Weber stated that Maury Regional Hospital gives us the money and we write a check to the ambulance system. She stated it doesn't wash exactly. Commissioner Kuzawinski asked what the transfer in fund 151 represented. Director Weber stated that represents the wheel tax to the highway department. Commissioner Kuzawinski asked why tipping fees in the 207 fund are up 500% from last year. Director Weber said that the County has been receiving more tipping fees this year, and the County did not do a good job on receiving tipping fees last year. Commissioner Kuzawinski asked if it could be possible to get a report of the trend for tipping fees for the last couple of years. Director Weber answered yes. Commissioner Turner asked if the increase on Sale of Materials was attributed to the same type of

behavior. Director Weber answered that is something she will have to look into. Commissioner Stephenson asked that these reports be listed under old business on the next meeting's agenda. Director Weber answered that would have to go through the Chairman. Chairman Harris agreed to the addition of the reports to the agenda. Commissioner Shackelford said that it is really hard to trend something and the Commission needs more time to see the numbers come in to see evidence of issues.

- D. Cash Report- Budget** Director Weber submitted the Cash Report. (See Attached)
Commissioner Shackelford asked if the fund numbers could be added to the left of the description of the cash report to help the new Commissioners. Commissioner Cook asked if Steve Konz could explain Commission transfers and the trustee Commission. Steve Konz stated that it is an archaic way to account for the County taxes. Steve Konz stated the percentage subtracted for Trustee Commission is put back into the County General fund. Trustee Konz stated that the trustee used the money to pay the bills of the Trustee's office in the past.
- E. Payroll - Overtime, Holiday, Excess Pay and Comp Time Report:** Budget Director Weber submitted the reports. (See Attached)
Commissioner Turner complemented the Sheriff's department for lowering their overtime for the month. Commissioner Cook asked if the fund numbers could be added to the payroll reports as well. Director Weber agreed. Chairman Harris asked if the prior year payroll report has one number that encompasses both the jail and the Sheriff's Department. Director Weber answered yes. Commissioner Burkhalter stated that he will ask the administration committee to take a look at this comp time report and potentially create a better policy on comp time by controlling the amount of hours, accumulation, rollover, pay etc... Director Weber warned Commissioner Burkhalter that if an employee works overtime the County has to pay them and the Commission cannot make the employees use or lose. Commissioner Burkhalter stated the employees may just have a certain amount of time to use the comp time. Director Weber stated that Commissioner Burkhalter may want to contact Human Resources Director Dana Gibson on that issue to find out for sure if the Commission can make someone use or lose their comp time. Commissioner Burkhalter stated they might not lose it, but they may have to use it. Director Weber stated that the Commission may have an issue with the Sheriff's Department in regards to comp time. Commissioner Burkhalter stated that he is going to ask for the Sheriff's Department to be set aside as a separate comp time procedure. Director Weber stated that the Commission could run into issues with discrimination because of the treatment of comp time being different or better for the Sheriff's Department. Commissioner Burkhalter stated that the treatment is different because the Sheriff's Department is different. Director Weber stated that she knows but be careful. Commissioner Burkhalter said that he wanted Director Weber to know that he will be bringing a potential comp time change up for discussion at the next administration meeting, and if Director Weber could notify Director Gibson of that then he would appreciate it. Director Weber said for Commissioner Burkhalter to be careful and that she would notify Director Gibson. Commissioner Cook stated that there was an employee that had accrued a large amount of comp time in her old position and then was promoted to a new position and

carried her comp time with her. Commissioner Cook stated that there is something wrong with that situation, and she complemented Commissioner Burkhalter for addressing the comp time issue. Director Weber stated that particular person had been doing the job of an elected official at an hourly capacity. Director Weber stated that according to CTAS and labor rules that is how we must handle that particular situation. Commissioner Shackelford stated that "Attorney Murphy is here to advise us legally and he would caution Director Weber in using language that may lead the County into a lawsuit." Commissioner Shackelford stated that "discrimination is something that is Attorney Murphy's area of expertise, and I would ask for you to just stick with the numbers." Director Weber answered certainly.

VIII. PURCHASING:

- A. Completed Bids-** Purchasing Agent Buddy Harlan submitted the report. (See Attachment) Commissioner Burkhalter asked if the surety companies knew that they were all bidding on the same thing. Purchasing Agent Harlan answered yes. Commissioner Turner asked Purchasing Agent Harlan to explain the purchasing and bid process for the new Commissioners. Purchasing Agent Harlan explained the process. Commissioner Shackelford stated that he was not involved in his company's bond offering bidding process. Commissioner Shackelford stated that he did write some of the bonds for the constables and that he would be happy to abstain from voting if anyone had a concern. Commissioner Stephenson asked what the terms were for using low specifications. Purchasing Agent Harlan stated that the law says the bids must be chosen upon what is lowest and best.
- B. Schedule Bid Opening-** Purchasing Agent Harlan submitted the report and stated it was thin. (See Attachment)
- C. Gov-Deals-** Purchasing Agent Harlan submitted and explained the Gov-Deals report to the new Commissioners.
- D. Capital Fund Report-** Purchasing Agent Harlan stated he did not have a capital fund report to submit.

IX. DELEGATIONS:

X. RESOLUTIONS:

- A. Res. No. 09-14-21 RESOLUTION AMENDING 2014/2015 SHERIFF'S DEPARTMENT BUDGET REGARDING INSURANCE RECOVERY ON A VEHICLE**

Chairman Harris asked for a motion to approve the resolution. A motion was made by Commissioner Sims, and motion seconded by Commissioner Cook. Chairman Harris saw no lights and proceeded with the vote. All in favor motion carried.

B. Res. No. 09-14-22 RESOLUTION APPROVING BONDS FOR THE NEWLY ELECTED COUNTY OFFICIALS

Chairman Harris asked for a motion to approve the resolution. A motion was made by Commissioner Sims and was seconded by Commissioner Cook. Chairman Harris saw no lights and proceeded with the vote. All in favor motion carried with Commissioner Shackelford abstaining himself from the vote.

C. Res. No. 09-14-23 RESOLUTION APPROVING BOND OF \$100,000.00 FOR BUDGET DIRECTOR AND PURCHASING AGENT

Chairman Harris asked for a motion to approve the resolution. A motion was made by Commissioner Shackelford and was seconded by Commissioner Sims. Chairman Harris saw no lights and proceeded with the vote. All in favor motion carried.

D. Res. No. 09-14-24 RESOLUTION AMENDING 2014-2015 COUNTY GENERAL FUND BUDGET

Chairman Harris asked for a motion to approve the resolution. A motion was made by Commissioner Sims and was seconded by Commissioner Wolaver. Chairman Harris opened the floor for discussion. Commissioner Stephenson asked why it wasn't dealt with in last year's budget. Commissioner Stephenson stated, "I don't know why we are looking at this now." Attorney Murphy answered that the budget was not approved until mid-August and the comptroller did not sign off on it until August. Attorney Murphy continued referencing that the previous Commission could not legally submit a budget amendment because of that. Commissioner Stephenson stated, "Maury Co. already has over millions of dollars in a deficit budget, and this money would certainly add to it. Correct?" Attorney Murphy said he didn't know what the deficit budget currently is. Director Weber answered that the budgeted deficit budget for the 14-15 fiscal year for the general fund is \$362,425, and for the 13-14 fiscal year the budgeted deficit was close to \$850,000. Director Weber stated that the County as a whole for the 13-14 fiscal year actual numbers represent an unaudited \$2,500,000- \$3,000,000 surplus. Director Weber referenced that the County has managed a surplus for two years straight, and the general fund would be able to support an expenditure of the \$703,700 out of fund balance to meet the needs of the County. Director Weber mentioned that the resolution should be changed under the 207 funds. Director Weber stated that most of the items on the resolution have been on the request list for years. Director Weber mentioned that these items should not be paid for through financing. Commissioner Stephenson asked Director Weber if any attempt was made to try to cut expenses. Director Weber answered that the County is always trying to cut expenses. Commissioner Stephenson stated that she had never been presented the requests and she would like to hear from the Department Heads. Director Weber summarized the requests from the different departments and stated why they were needed. Director Weber started to explain why the Kids Kingdom was on the resolution to be rebuilt and Commissioner Stephenson interjected and cautioned Director Weber to be careful on what she says about the Kids Kingdom. Chairman Harris asked Attorney Murphy if there can be a partial approval and Attorney Murphy answered that an amendment to the motion can be made. Commissioner Stephenson asked Director Weber what the improvements were for \$25,000 on line item 101-51800-707 on the resolution.

Director Weber answered that it was for renovations to the Memorial Building per Ronnie Bates. Director Weber stated that she didn't know what specific renovations need to be applied to the Memorial Building. Commissioner Stephenson asked, "So, do you not go into that kind of detail with the Department Heads?" Director Weber replied "They are the professionals, not me. They do their request and I don't get into detail" Commissioner Stephenson said, "I would want to know and I would want to get into detail." Director Weber said, "I have many Department Heads that I have to deal with." Commissioner Stephenson asked if the requests were in any particular order. Director Weber answered no. Commissioner Whiteside asked if the Kids Kingdom or the Library requests could be paid for out of Adequate Facilities. Director Weber said she doesn't think that those items could be associated with what the adequate facilities fund is supposed to be used for. Attorney Murphy said that it could not be used because it was a renovation instead of a new Kids Kingdom. Attorney Murphy said he isn't sure what the Library request is, but it usually has to deal with brick and mortar renovations and adds nothing to stimulate growth. Commissioner Potts asked Commissioner Sims if the Sheriff Department's vehicle request was for two cars or one. Commissioner Sims answered that it was for one car and that the cost includes all of the fittings a police vehicle requires. Commissioner Cook stated "I understand that these requests have not been researched adequately, and these are just brought forth to the Budget Director and requested to be done." Commissioner Cook asked if the items could be presented to the Commission. Director Weber mentioned that all of the requested items were presented to the prior Commission. Commissioner Cook stated that it was not passed under the previous budget and maybe we should work on the budget sooner next year to avoid this conflict in the future. Commissioner Cook asked to hear the requests individually from the Department Heads. Commissioner Burkhalter said that some of the requests were not presented to the previous Commission, but the idea was to fund the requests out of the 101 Fund instead of borrowing because these are short term items. Commissioner Kuzawinski asked Director Weber if the County replaces two air units at the Sheriff's Department every year. Director Weber answered yes. Commissioner Kuzawinski asked how many air units are out at the Sheriff's Department. Director Weber answered she does not have that information, but she was told that the Sheriff's Department needs to replace two units every year to keep the HVAC system running. Commissioner Kuzawinski asked if there are plans or blueprints for the Kids Kingdom. Director of Parks and Recreation Al Ray responded that they have a rendering from a playground company that the Parks Department gets a discounted price from. Director Ray said the Kids Kingdom is a leather set playground that was built with wood, and over time it has withered. Director Ray reported that the playground regulations have gotten stricter which resulted in the Kids Kingdom becoming inadequate. Director Ray said Mt. Juliet's replacement leather set will be \$325,000 in comparison to Maury County's Kids Kingdom being \$200,000. Commissioner Kuzawinski asked if the idea is to completely tear down the Kids Kingdom and rebuild. Director Ray answered yes. Commissioner Kuzawinski asked if there was any chance of volunteer help. Director Ray answered not with metal sets, but Parks and Recreation will do the demolition themselves. Commissioner Turner said there are some things that were not presented, and the Commission needs to decide the difference between the needs and wants.

Commissioner Turner said that she would not support it if it were to go to the Full Commission. Commissioner Previti asked "Since the Kids Kingdom is going to be torn down and rebuilt, does that not fall under new construction? Does that not fall under adequate facilities?" Attorney Murphy answered that those items are very fact specific and he will have to research it further and consult the auditor. Commissioner Previti commented he could not support things he has not seen, but this Commission needs to put effort and care into the buildings in Maury County. Director Ray presented the request of the dump truck and why they needed it. Commissioner Whiteside asked Attorney Murphy to research the adequate facilities matter with Kids Kingdom. Commissioner Stephenson asked if the \$200,000 includes demolition. Director Ray stated no. Commissioner Stephenson stated she doesn't know enough to support this resolution. The Budget Committee realized that Commissioner Sims had left. Chairman Harris asked Commissioner Previti to take the place of Commissioner Sims on the Budget Committee. Chairman Harris saw no lights and proceeded with the vote. Roll Call Vote:

Commissioner Previti- No, Commissioner Wolaver- I, Commissioner Stephenson- No, Commissioner Cook-No, Commissioner Shackelford-No and Chairman Harris- No
Vote Fails, 5-1

E. Res. No. 09-14-25 RESOLUTION ACCEPTING MAURY COUNTY CLERK'S FEES

Attorney Murphy presented the resolution and advised the operation of the process and referenced that Director Weber will have more information about how the payroll would work. Motion by Commissioner Cook, and seconded by Commissioner Stephenson. Commissioner Shackelford asked County Clerk Joey Allen to come up to speak. Commissioner Shackelford praised Joey Allen for bringing this resolution to the Commission and asked if County Clerk Allen had any explanations of the resolution. County Clerk Allen said he wanted to move the process over and this resolution will streamline the process and make everything more compatible across the County. Commissioner Cook congratulated County Clerk Allen on improving processes. County Clerk Allen stated the changes in the office are getting better and more modern. Commissioner Shackelford asked if hours could be extended. County Clerk Allen stated he plans to stagger lunch schedules and arrival times to try and extend the office hours to 7a.m. to 5p.m. Commissioner Turner asked if he is working on changing the parking places to improve safety. County Clerk Allen stated the process is unsafe and he is working on a new process to make the process safer. County Clerk Allen plans to try and get a bank to come and pick up the money, and County Clerk Allen stated he ordered a safe today. Chairman Harris ceased discussion and called for vote. Roll call vote: Commissioner Previti- I, Commissioner Wolaver- I, Commissioner Stephenson- I, Commissioner Cook-I, Commissioner Shackelford-I and Chairman Harris- I. Vote passed 6-0, Motion Carried.

F. Res. No. 09-14-26 RESOLUTION APPROVING BONDS FOR THE NEWLY ELECTED CONSTABLES

Attorney Murphy presented the resolution and stated that he will request an amendment after the motion. Motion by Commissioner Wolaver, and seconded by

Commissioner Cook. Attorney Murphy requested an amendment to the resolution stated that the line item for Howard "Pappy" Norman should say \$10,000 instead of \$4,500 because this particular constable purchased a \$10,000 bond. Motion on the approval of the amendment by Commissioner Previti, and seconded by Commissioner Cook. Chairman Harris saw no lights and called for vote on the motion to amend. All in favor, motion for the amendment carries. Chairman Harris called for vote on the approval of the amended resolution, Motion Carried with Commissioner Shackelford abstaining from vote. This particular vote was not a roll call vote.

XI. New Business

A. Larry M. Roe, Jr. The Maury County Clerk and Master's Lawsuit:

Attorney Murphy stated he has already informed and presented this lawsuit to the Commission. Attorney Murphy recommended the Commission find an attorney to represent them in the lawsuit. Attorney Murphy stated he would normally represent the County, but he has a conflict of interest in this case. Attorney Murphy recommends the Commission to approve Charles W. Holt, Jr. to represent the Commission in this case. Attorney Murphy recommends Attorney Holt because this particular attorney is experience in these types of lawsuits, and has more than forty years of experience. Attorney Murphy also informed the Commission that Attorney Holt will not charge a retainer fee, and his hourly rate for the County will be \$175/hour. Attorney Murphy said that line item 101-51900-331 has \$10,000 to be used for times such as this. Attorney Murphy reported the Commission has five days after the County Commission Meeting to make a decision, but Attorney Holt can ask for an extension of time and hold an Executive Meeting to inform the Commission. Commissioner Shackelford motioned to appoint Attorney Holt, and it was seconded by Commissioner Stephenson. Commissioner Previti asked if there is a difference between the laws in Maury County and Lawrence County on this issue, and would Attorney Holt be able to ask Attorney Murphy a question if there is a difference in law. Attorney Murphy replied that the lawsuit the County is involved in is a state law and is congruent with everything in Lawrence County. Commissioner Stephenson asked if they have to make a decision by September 20, 2014 based on Attorney Holt. Attorney Murphy stated that most attorneys would present the position and issue to the Commission and if needed would ask for an extension of time. Chairman Harris called for vote. All in favor, Motion Carried. This particular vote was not a roll call vote.

XII. Old Business

Attorney Murphy presented that the assumption was made by Commissioner Sims that if the agenda was changed to elect a Chairman then he would fall to the Vice Chair position since he already held that position and was voted in for the full year. Attorney Murphy stated the Vice Chair position was elected, but technically there was no Vice Chair position available to be elected. Commissioner Shackelford stated the committee can decide, but if Commissioner Sims was present at the meeting currently he would gladly offer the Vice Chair Position back to Commissioner Sims because those terms are valid for twelve months. Commissioner Cook asked why Commissioner Sims had his own position for election on the agenda. Director Weber responded that Commissioner Sims assumed the Vice Chair would move to the chair, because he was already the Vice Chair

and the Vice Chair takes over the duties of the Chairman when there is no Chairman present. Director Weber stated that would only leave the Vice Chair position open until the January 2015 election. Commissioner Cook then stated, "Well... We all know what assumptions do." Commissioner Stephenson read again what the motion was. Commissioner Stephenson stated that Commissioner Sims did not state an objection, and there is nothing under the rules for the Vice Chair to automatically ascend to the Chairman position. Commissioner Stephenson also stated that there is additional information available under Robert's Rules of Order. Commissioner Wolaver stated the rules also mention the Chairman and Vice Chair elected shall continue to serve until the end of the calendar year, and if this committee chooses not to honor this then he would assume the simplest thing to do is to ask for a waiver of the rules governing the Maury County Commission. Commissioner Wolaver then stated that if there is not a waiver of the rules presented then he would consider the nomination and election of the Chairman and Vice Chair on this agenda null and void. Commissioner Turner stated that if Commissioner Sims had a problem with this then he had from 4:30 pm to 7:30 pm to state an objection. Commissioner Turner then stated "If Commissioner Sims didn't have a problem then why are we creating one?" Commissioner Parker stated that the Commission can assume that Commissioner Sims was too much of a gentleman to speak up, and he was appointed in January and Commissioner Sims should be the Vice Chair until January. Commissioner Shackelford motioned to reconsider the Vice-Chairmanship of the Committee and the motion was seconded by Commissioner Previti. Commissioner Shackelford recommended the committee approve this. Commissioner Stephenson stated that backtracking and assuming is a problem, and we are in an interim period. Commissioner Stephenson reread Robert's Rules of Order and stated there is no direction or provision for interim periods. Commissioner Wolaver motioned for question on the matter, and the motion was seconded by Commissioner Previti. Chairman Harris called for vote. All in favor, Roll Call Vote, Motion to ask for question Passes 5-1 with Commissioner Stephenson opposed. Chairman Harris calls for a vote on the motion to reconsider the position of Vice Chair on the Budget Committee. Roll Call vote: Commissioner Previti- I, Commissioner Wolaver-I, Commissioner Stephenson- No, Commissioner Cook-I, Commissioner Shackelford-I and Chairman Harris- I. Vote passed 5-1, Motion Carried with Commissioner Stephenson opposed.

XIII. Announcement:

- A.** Attorney Murphy stated this reconsideration of the Vice Chair should be brought up again on the next Budget Committee agenda, and Commissioner Shackelford should step down until the next meeting. Commissioner Stephenson asked Director Weber to ask the Department Heads to come and present on the next budget meeting and Director Weber answered yes.
- B.** County Commission Regular Meeting, Monday, September 15, 2014 at 6:30 P.M. Tom Primm County Commission Room, Hunter-Matthews Complex, and a 6:00 PM Building and Zoning hearing will be provided on Monday, September 15, 2014.

- C. Commissioner Stephenson stated the Fire Department is having an event Thursday morning, and the American Legion is also having an event on September 11, 2014.
- D. Commissioner Potts asked for the Commission to see the other resume for the position of the civil service appointment. Attorney Murphy said he would run it down and email it with the packet. Attorney Murphy stated that it is one of the first items on the County Commission's agenda. Commissioner Wolaver stated that resume was distributed throughout the previous Commission and June Beckum can provide it to the new Commissioners.

XIV. Adjournment:

Motion was made to adjourn at approximately 8:00 P.M.

APPROVED



Charlie Norman, Jr., County Mayor

SIGNED



Craig Harris, Budget Committee Chairman